

DECLARATION AND POWER OF ATTORNEY

Thomas J. Hebda, of 539 South Park Road, Lombard, Illinois 60148 declares that he is a citizen of the United States, he believes himself to be the original, first inventor of DEVICE FOR CONTROLLING A DOOR OPERATOR which is described in the foregoing specification; that this application in part discloses and claims subject matter disclosed in his earlier filed application, Serial No. 09/362,248, filed July 28 1999, still pending; that as to the subject matter of this application which is common to said earlier applications; that he has reviewed and understands the contents of the above identified specification including the claims and he does not know and does not believe that the same was ever known or used before his invention thereof or patented or described in any printed publication in any country before his invention thereof more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented before the date of said earlier application in any country foreign to the United States of America on an application filed by him or his legal representatives or assigns more than twelve months prior to said application; that he acknowledges his duty to disclose information of which he is aware which is material to the examination of this application in accordance with Title 37 CFR 1.56(a), including information occurring between the filing date of the prior application and the national or PCT international filing date of the continuation-in part application; and that no application for patent on said invention has been filed by him or his representatives or assigns in any country foreign to the United States of America; that as to the subject matter of this application which is not common to said earlier application, he does not know and does not believe that the same was ever known or used before his invention thereof or patented or described in any printed publication in any country before his invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application.

He further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

T06080"08552650

2

10680" 08552650

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (Optional)

Applicant, Patentee, or Identifier: Thomas J. Hebda

Application or Patent No.: _____

Filed or Issued: _____

Title: DEVICE FOR CONTROLLING A DOOR OPERATOR

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Thomas J. Hebda
NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Thomas J. Hebda
Signature of Inventor

Signature of Inventor

Signature of Inventor

7/31/01
Date

Date

Date